

From Down  
Dirt Roads

...Opinions of our readers

Setting the record  
straight about our Kerr  
Dam lawsuit and Turkey

By Lawrence A. Kogan, Esq.

As the readership of the Western Ag Reporter may recall, on September 2, 2015, my law firm filed suit against the Federal Energy Regulatory Commission (FERC) and the U.S. Department of Interior (DOI) on behalf of two Montana State Senators and a Montana-based recreational enterprise. The action challenged the administration’s historical condition-free conveyance of Kerr Dam to the Confederated Salish & Kootenai Tribes (CSKT). As the result of this filing, my co-counsel, a former Defense Department Inspector General, and I were taken to task by the national and the local press.

As the direct result of this reporting, we counsels and our clients had been castigated by the U.S. State Department and by the local liberal press as racially biased and conspiracy minded. This eventually caused our clients to seek voluntary withdrawal of this action, but without prejudice. However, as subsequent publicly available facts have come to light, it has become more apparent that our lawsuit had actually struck a sensitive chord within the Obama administration by publicly exposing highly questionable policies that officials preferred remained covered up.

Our lawsuit alleged that said transfer had been deceptively achieved via a public hearing-free process and procedure, a series of numerous substantive FERC-approved non-public DOI amendments of the Kerr Dam operating license, and key FERC regulatory waivers. These included waivers of dam acquisition, license transfer, safety inspection, and public reporting and transparency-related regulatory requirements, which arguably endanger the public welfare and safety of northwestern Montana residents. The lawsuit also questioned the sensitive national security clearances granted to the CSKT to assist the U.S. military services in undertaking uranium mill tailing spill cleanups and rendering software-based logistical support in procuring parts for the Saudi Arabia and other foreign air forces.

Moreover, our lawsuit questioned the motivations underlying the government of Turkey’s outreach to 14 federally recognized tribes, including the CSKT, and, in particular, Turkey’s direct lobbying for a DOI-oversight-free reservations leasing law. Our lawsuit also alleged that the CSKT and other HEARTH Act-approving Native American tribes were naively supportive of Turkey doing business on their reservations. Furthermore, our lawsuit surmised that Turkey and the internationally recognized terrorist groups it is known to harbor could have intentions inconsistent with U.S. national interests - e.g., the potential building of madrassas and spreading Islam among Native Americans and the potential pursuit of materiel for nuclear weapons.

Since its filing, however, subsequently discovered publicly available information concerning the Obama administration’s Turkey, open borders, and greater tribal sovereignty policies and initiatives sheds new light on the allegations contained in our prior lawsuit. In an effort to set the record straight about our Kerr Dam lawsuit and its Turkey-focused allegations, a knowledgeable colleague and I recently prepared a web-accessible working paper entitled, “Highly Questionable Turkey, Open Border & Greater Tribal Sovereignty Policies Together Undermine U.S. National Security” ([http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2704179](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2704179)). This working paper endeavors to relate the national security-oriented facts and allegations contained in our prior lawsuit to subsequently discovered, publicly available information concerning this

administration’s Turkey, open borders, and greater tribal sovereignty policies and initiatives. It then cross-analyzes these otherwise distinct and separate policy areas to show how their implementation together serves to undermine U.S. national security and the security of all Montanans. We invite the editor of the Western Ag Reporter and its multi-state readership to review our working paper and to judge for themselves whether, based on such information, reasonable persons can conclude that our prior lawsuit’s

allegations against Turkey were rather prescient, and that, consequently, U.S. national security and the security of Montana’s and other states’ irrigators are being greatly undermined.

Questions? Contact Lawrence Kogan, Kogan Law Group, 100 United Nations Plaza, Suite #14F, New York, NY 10017; 212-644-9240.

www.westernagreporter.com

Since 1934

Billings Live Stock Commission

REPRESENTATIVE SALES FOR DECEMBER 14 & 17, 2015 • 6200 Head Sold

Over 6,000 for the week with a big number of consignors. Thanks for your business!

Monday, December 14 • 4,000 Head Sold

BRED COWS

Five Cattle	Park City	28 Bk 3&4	1,231	1,985.00
Five Cattle	Park City	17 Bk 3&4	1,301	1,950.00
Ellis Livestock	Billings	15 Bk 3&4	1,070	1,935.00
Ellis Livestock	Billings	15 Bk 3&4	1,127	1,935.00
Ahlgren Ranch LLC	Winnett	20 Red 3&4	996	1,850.00
Joseph M or Kandin Luther	Bighorn	20 Bk 3&4	1,112	1,750.00
Arthun Ranch Inc	Wilsall	8 Bk 3&4	1,162	1,725.00
Mark Boone	Ingomar	9 Bkbwif 3&4	1,159	1,700.00
Tg Ranch Co	Martinsdale	41 Bk 3to6	1,067	1,685.00
Mark Boone	Ingomar	16 Bk 5&6	1,082	1,660.00
David D Murray	Lewistown	29 Bkbwif 3to6	1,157	1,650.00
Joseph M or Kandin Luther	Bighorn	9 Bk 5&6	1,369	1,625.00
Ahlgren Ranch LLC	Winnett	8 Red 5&6	1,316	1,625.00
Arthun Ranch Inc	Wilsall	10 Bk 5&6	1,302	1,610.00
Joseph M or Kandin Luther	Bighorn	29 Bkbwif 5&6	1,321	1,610.00
Norman Olson	Jordan	22 Bk Solid	1,261	1,560.00
Ahlgren Ranch LLC	Winnett	47 Rdbk Solid	1,276	1,550.00
Mark Boone	Ingomar	16 Bbwif Solid	1,171	1,510.00
Gene or Ronna Klamert	Billings	33 Bk 5&6	1,213	1,485.00
Arthun Ranch Inc	Wilsall	17 Bk Solid	1,412	1,410.00
Sargent Ranches Inc	Shawmut	36 Bk Solid	1,235	1,410.00
Tcc/Waples	Billings	28 Bk Solid	1,349	1,410.00
David D Murray	Lewistown	16 Bbwif Solid	1,342	1,400.00
John O Miller	Absarokee	7 Bk Solid	1,203	1,350.00
Two Dot Land And Livestock	Harlowton	10 Bk Solid	1,407	1,350.00
Eickhoff Ranch Inc	Grass Range	20 Bk St	1,374	1,085.00
Barry Ellis	Baker	15 Bk St	1,282	1,000.00
Wasson Ranch Inc	Whitewater	31 Bk St	1,496	1,000.00
Scott or Ellen Blain	Joliet	11 Bk St	1,443	1,000.00
B & L Farm & Ranch Partner	Malta	46 Bk St	1,318	995.00
Wesley Stahl	Roundup	13 Bk St	1,232	975.00
Toby or Nannette Stahl	Roundup	29 Bkbwif St	1,247	975.00
Stephen E Kuhlmann	Billings	18 Bk St	1,377	960.00
Pearlie Lee And Co	Billings	29 Bkbwif St	1,373	960.00
John O Miller	Absarokee	55 Bkbwif St	1,251	950.00
Sargent Ranches Inc	Shawmut	45 Bk St	1,229	950.00
Baumann Livestock	Hardin	26 Bk St	1,247	925.00
Gerald W Paugh	Billings	17 Rd/Bk St	1,316	900.00

BRED HEIFERS

Jack Linford	Jordan	15 Bk	1,015	1,950.00
Jack Linford	Jordan	35 Bk	1,004	1,950.00
Ahlgren Ranch LLC	Winnett	3 Red	951	1,910.00
Ahlgren Ranch LLC	Winnett	41 Red	951	1,900.00
Ahlgren Ranch LLC	Winnett	10 Red	1,051	1,900.00
Ahlgren Ranch LLC	Winnett	40 Red	977	1,885.00
John Michael III	Livingston	1 Bk	1,116	1,825.00
B & L Farm & Ranch Partner	Malta	16 Bk	1,155	1,750.00
B & L Farm & Ranch Partner	Malta	20 Bk	1,141	1,750.00
B & L Farm & Ranch Partner	Malta	194 Bk	1,145	1,750.00
Jack Linford	Jordan	20 Bk	999	1,750.00
Sargent Ranches Inc	Shawmut	62 Bk	976	1,735.00
Robbie Cattle Co Inc	Park City	44 Bk	1,083	1,635.00

Thursday, December 17 • 2,000 Head Sold

BULLS

Sunlight Ranch Co	Wyola	7 Bkbwif	939	117.00
Sunlight Ranch Co	Wyola	13 Bk	1,753	94.50
Te Ranch Limited Partners	Cody	1 Bk	1,956	91.00

COWS

Eddie Mccauley	Cut Bank	5 Bkbwif	1,093	91.00
Jon Rogers	Park City	2 Red	1,111	90.00
Kenneth L or Mesaros	Cascade	1 Bk	1,106	90.00
Duane or Jody Skoyen	Chinook	1 Bk	1,121	86.00
Tim Vandyke	Conrad	3 Bk	1,126	85.00
Moe Ranch LLC	Twodot	8 Bk	1,151	80.25
Merrimac Cattle Co	Geyser	9 Rd/Rwf	1,146	77.00
Melvin David Maichel	Harrison	3 Bk	1,234	74.00
Hoodoo Ranch	Cody	42 Charx	1,255	73.00
Gene or Ronna Klamert	Billings	5 Bk	1,437	70.00
Sunlight Ranch Co	Wyola	11 Bk	1,341	69.75
Sunlight Ranch Co	Wyola	29 Bk	1,297	69.00
Two Dot Land And Livestock	Harlowton	18 Bk	1,375	67.50
Moe Ranch LLC	Twodot	14 Bkbwif	1,437	65.25
James T. Mccauley	Boulder	8 Bkbwif	1,248	63.00

HEIFER CALVES

Brian A Osness	Pompeys Pillar	3 Bkbwif	434	177.00
Ish, Inc.	Chester	34 Bk	457	169.00
Frank And Catherine Schmidt	Cody	53 Bk	523	166.00
Ish, Inc.	Chester	33 Bk	529	163.00
Michael W Not Afraid	Hardin	15 Bk	531	161.00
B & L Farm & Ranch Partner	Malta	62 Bk	540	160.00
Brian A Osness	Pompeys Pillar	13 Bk	562	160.00
James J Henderson	Lloyd	22 Bkbwif	656	157.00
Michael W Not Afraid	Hardin	12 Bkbwif	588	154.00
B & L Farm & Ranch Partner	Malta	99 Bk	619	151.00
B & L Farm & Ranch Partner	Malta	94 Bk	627	149.50
John or Jean Lynn	Coffee Creek	4 Bk	706	133.00

HEIFERETTES

Kenny Pfeifer	Bridge	1 Red	986	111.00
Tim Vandyke	Conrad	7 Bk	1,129	108.00
Meadows Ranch Inc	Choteau	1 Bk	876	108.00
Salveson Ranch LLP	Malta	4 Bkbwif	966	105.50
Hoodoo Ranch	Cody	2 Red	1,008	105.00
Eddie Mccauley	Cut Bank	1 Bk	841	104.50
Lane Associates	Livingston	3 Bk	1,032	103.00
Jason A Hughes	Grass Range	5 Bk	1,006	102.00

STEER CALVES

Ish, Inc.	Chester	7 Bk	427	190.00
Walter Bold	Lloyd	17 Rd/Bk	469	186.00
Jon or Sherrill Funk	Roundup	5 Bk	531	175.25
Brian A Osness	Pompeys Pillar	11 Rd/Bk	526	174.50
Scott or Barbara A Waters	Malta	10 Bk	512	169.50
Michael W Not Afraid	Hardin	10 Bk	553	168.50
Frank And Catherine Schmidt	Cody	88 Bkbwif	581	165.75
David Brewer	Ringling	13 Bk	538	165.00
Brian A Osness	Pompeys Pillar	13 Bk	633	161.50
David Brewer	Ringling	23 Bk	611	158.75
Walter Bold	Lloyd	58 Rd/Bk	583	157.00
Virgil or Linda Gluth	Denton	9 Rd/Bk	621	155.50
Ish, Inc.	Chester	6 Bk	670	149.50
B & L Farm & Ranch Partner	Malta	5 Bk	700	147.00

3TT

3rd Trimester Tub

Prime up that cow for  
calving and then of course  
the next step is breeding.

ACT NOW  
TO SAVE  
ON TAXES

JUST PICK UP THE PHONE & CALL US

Rio Nutrition  
888-919-4738  
www.rionutrition.net

HAPPY NEW YEAR

from the entire crew here at Montana's Pioneer Market!

NO SALE DECEMBER 31ST

We would like to take this opportunity to thank all of our valued consignors and buyers for making 2015 another great marketing year here at BLS. We look forward to working with you in 2016.

THURSDAY, JANUARY 7

2016  
KICK OFF SALE

MONDAY, JANUARY 11

NORTHERN  
LIVESTOCK VIDEO AUCTION

Diamond Ring Sale

MONDAY, JANUARY 11TH

THURSDAY, JANUARY 14

FEEDER SPECIAL

With All Class Cattle Sale

THURSDAY, JANUARY 21

STOCK COW SPECIAL

With  
All Class Cattle Sale

Upcoming Sale Schedule

Saturday ..... Jan. 23	Horse Sale & Cabin Fever Tack Auction	Thursday..... Feb. 18	Feeder Special W/All Class Cattle Sale
Thursday..... Jan. 28	Feeder Special W/All Class Cattle Sale	Thursday..... Feb. 25	All Class Cattle Sale
Thursday..... Feb. 4	Feeder Special W/All Class Cattle Sale	Sat/Sun Feb. 27 & 28	February Horse Sale
Thursday..... Feb. 11	Calving Time Classic Stock Cow Special W/All Class Cattle Sale	Thursday..... March 3	Feeder Special W/All Class Cattle Sale

Call to consign to any of these good sales, or consign online at [www.billingslivestock.com](http://www.billingslivestock.com)

Bill (406) 670-0689 Ty (406) 698-4783 Dan (406) 671-7715

View, Bid and Buy At All Of Our Cattle Sales LIVE \* At [www.billingslivestock.com](http://www.billingslivestock.com)

Billings Live Stock Commission

2443 North Frontage Rd. • Billings, MT 59101 • Ph: 406-245-4151 • Fax: 406-245-0391

Ty Thompson: Cattle Sale Manager & Auctioneer • 406-698-4783 Dan Catlin: Yard Foreman & Field Rep. • 406-671-7715

Bill Cook: Auctioneer & Field Rep. & Promotions • 406-670-0689 Bill & Jann Parker: Horse Sale Managers • 406-670-0773

Montana’s Pioneer Market - Call To Consign 1-800-635-7364